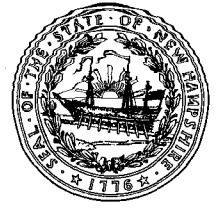




The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

**LETTER OF DEFICIENCY
WET 06-104**

September 20, 2006

Donald Ames
Ames Farm Inn
2800 Lakeshore Rd
Gilford, NH 03249

RE: DES Wetlands File #2006-02102 2800 Lake Shore Rd, Gilford

Dear Mr. Ames:

On August 18, 2006 and September 6, 2006, personnel from the Department of Environmental Services ("DES") conducted inspections of the above referenced property, more specifically referenced on Town of Gilford Tax Map 4 as Lot 49 (the "Property"). The purpose of the inspections was to determine compliance with RSA 482-A and NH Code of Admin. Rules Env-Wt 100-800.

During the inspections the following deficiencies were documented:

- 1) A trench measuring approximately 215' x 4' to 6' in width had been dredged through wetlands. The center section of the trench (measuring 152' linear feet) had been back filled and tile drain installed. The remaining trench was open on both ends.
- 2) An area measuring approx 50' x 20' immediately adjacent to the ditched area had been rutted with machinery.

In response, you are requested to take the following actions:

- 1) **Within 10 days**, remove the tile drain from the ditched area, backfill the ditch to match the existing grades of the immediately adjacent area, smooth out soil ruts, and seed and mulch all disturbed areas.
- 2) **Within 15 days**, submit photographs to DES documenting compliance with the restoration as described above.

Please note that during the inspections DES also found violations involving the docking structures on your frontage. DES will be addressing these violations under a separate action.

As discussed in the field, DES would strongly recommend that you hire a wetland scientist to perform a "Section F" wetland delineation on your property to clearly establish the limits of jurisdictional areas and help you avoid future violations.

RSA 482-A, the New Hampshire Wetlands law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to wetlands or surface waters, an individual is required to obtain a permit. If work is done without a permit, this is considered a violation of RSA 482-A. Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party.

DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.

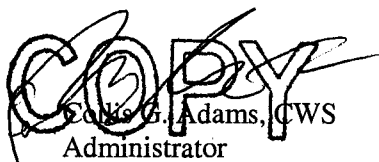
Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Tracey Boisvert, Compliance Supervisor
Wetlands Bureau
Department of Environmental Services
PO Box 95
Concord, NH 03302-0095

Should you have any questions regarding this letter, or wish to arrange a meeting, please contact Tracey Boisvert at (603) 271-4061.

Sincerely,


Erika G. Adams, CWS
Administrator
Wetlands Bureau

CERTIFIED MAIL 7006 0100 0005 8153 5146

cc: Rene Pelletier, Asst. Director, Water Division
Gretchen R. Hamel, Administrator, DES Legal Unit
Gilford Conservation Commission
Gilford Board of Selectmen
USACOE